

**REGULAR MEETING  
BOARD OF ADJUSTMENT  
PORTSMOUTH, NEW HAMPSHIRE**

**6:30 P.M. – Conference Room A – Non-Public Meeting**

**7:00 P.M.**

**CITY COUNCIL CHAMBERS  
AGENDA**

**December 18, 2001**

**I. APPROVAL OF MINUTES**

November 20, 2001; and,  
Meeting of November 27, 2001

**II. OLD BUSINESS**

**A) Request for Rehearing for Cate Irvine, owner for property located at 300 Court Street requested by Bernard W. Pelech, Esquire.** Said property is shown on Assessor Plan 108 as Lot 012 and lies within the Mixed Residential Office and Historic A districts.

**B) Request for an Extension of Time for an additional one year time period for property owned by William and Sue Mautz, owner,** located at 338 Middle Street given at the January 16, 2001 meeting. Said property is shown on Assessor Plan 136 as Lot 23 and lies within the Mixed Residential Office and Historic A districts.

**C) Request for a Rehearing for Gordon Sorli, owner, Paul Sorli d/b/a Portsmouth Gas Light Co., applicant, for property located at 64 Market Street requested by Jonathon M. Flagg, Esquire.** Said property is shown on Assessor Plan 117 as Lot 35 and lies within the Central Business B and Historic A districts.

**D) Request to Re-table Petition of James J. Reilley, owner,** for property located at 21 Sanderling Way to the January 22, 2002 meeting. This application was tabled at the November 20, 2001 meeting to the December 18, 2001 meeting. Said property is shown on Assessor Plan 217 as Lot 2-1823 and lies within the OR/MV district.

**III. PUBLIC HEARINGS**

**1) Petition of Joseph J. Almeida, owner,** for property located at 37 Prospect Street wherein a Variance from Article II, Section 10-206(5) is requested to allow the existing barn and a portion of the first floor of the existing single family dwelling to be converted into a second dwelling unit on a lot having 5,310 sf of lot area where 6,000 sf (3,000 sf per dwelling unit) of lot area is the minimum required for two dwelling units. Said property is shown on Assessor Plan 141 as Lot 16 and lies within the General Residence A and Historic A districts.

**2) Petition of ONB Realty Corporation, owner,** for property located at 1555 Lafayette Road wherein a clarification is requested concerning approval granted 21 November 00 of a Variance from Article III, Section 10-301(A)(8) and Article IV, Section 10-401(A)(2)(c) to allow a 38' x 55' addition to a nonconforming building with a 72' front yard where 105' is required.

Notwithstanding the above, a Variance from Article III, Section 10-301(A)(8) is requested to allow the construction of a 38' x 55' 1 ½ story building (existing 29' x 29' one story building to be demolished) with a 72' front yard where 105' is required. Said property is shown on Assessor Plan 251 as Lot 125 and lies within the Mixed Residential Business district.

**3) Petition of Margaret O'Neil, owner,** for property located at 87 Cabot Street wherein a Variance from Article III, Section 10-302(A) is requested to allow a 10' x 10'6" one story addition with a 9' right side yard where 10' is the minimum required. Said property is shown on Assessor Plan 136 as Lot 33 and lies within the Apartment district.

**4) Petition of Jessie Holt, owner,** for property located at 395 South Street wherein a Variance from Article III, Section 10-302(A) is requested to allow an exterior spiral stair case from the third floor bedroom with an 8' left side yard where 10' is the minimum required. Said property is shown on Assessor Plan 111 as Lot 19 and lies within the General Residence A district.

**5) Petition of Nick and Andrea Allen, owners,** for property located at 32 Baycliff Road wherein a Variance from Article III, Section 10-302(A) is requested to allow: a) an 8' x 20'4" 1 ½ story addition to the right side of the existing dwelling with a 25'8" front yard where 30' is the minimum required, b) a 20'6" x 24'3" 2 story addition to the rear of the existing dwelling with an 8' left side yard where 10' is the minimum required (addition includes a 3' x 5' entry on the right side); and, c) to allow 25.8% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Plan 207 as Lot 43 and lies within the Single Residence B district.

#### **IV. NEW BUSINESS**

**Election of Officers for the Year 2002**

#### **V. ADJOURNMENT**

**Members of the public and abutters should be aware that after the board renders its decision tonight, that a later request could be made to reconsider the decision and/or appeal the decision to the Rockingham County Superior Court. Please note that an abutter/aggrieved party may file a motion to reconsider if they are dissatisfied with the Board's decision. If you have any interest in finding out whether a motion to reconsider has been filed; you should contact the Planning Department twenty-one (21) days after the BOA decision is rendered. Thereafter, depending on the outcome of the reconsideration request, you are also invited to make inquiries at the Legal Department to determine whether an Appeal to the Superior Court has been filed.**